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FORM PTO-1390 (Modified)  
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV 12-2004)

|   |   |  |
|---|---|--|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | ATTORNEY'S DOCKET NUMBER<br><b>SALK3130-1J</b> |
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 201.10)   |   | <b>10/535041</b>                               |
| INTERNATIONAL APPLICATION NO.<br>PCT/US2003/036123  | INTERNATIONAL FILING DATE<br>14 November 2003 | PRIORITY DATE CLAIMED<br>15 November 2002      |
| TITLE OF INVENTION<br>NON-STEROIDAL FARNESOID X RECEPTOR MODULATORS   |   |  |
| APPLICANT(S) FOR DO/EO/US<br>Michael R. Downes, Ronald Mark Evans, Robert Hughes, Kyriacos C. Nicolaou and Anthony J. Roecker   |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |   |  |
| Items 11 to 20 below concern other document(s) or information included:   |   |  |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information: check and postcard</p>   |   |  |

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|--|--------------|---|--------------------------|---|--|
| U.S. APPLICATION NO. (if known, see 37 CFR. 1.5)<br><b>10/535041</b>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2003/036123                            |                          | ATTORNEY'S DOCKET NUMBER<br>SALK3130-1J |  |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:  |              |   |                          |   |  |
| <input checked="" type="checkbox"/> a) Basic national fee  |              | \$300.00  | \$                       | 300.00                                  |  |
| <input checked="" type="checkbox"/> b) Examination fee   |              | \$200.00  | \$                       | 200.00                                  |  |
| <input checked="" type="checkbox"/> c) Search fee  |              | \$500.00  | \$                       | 500.00                                  |  |
| TOTAL OF ABOVE CALCULATIONS =  |              | \$1000.00   | \$                       | 1000.00                                 |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.  |              |   |                          |   |  |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE                     |   |  |
| 61 - 100 =   | /50 =        | 0   | x \$250.00               |   |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))  |              |   | \$                       | 130.00                                  |  |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE                     |   |  |
| Total Claims   | 17 - 20 =    | 0   | x \$ 50.00               |   |  |
| Independent Claims   | 1 - 3 =      | 0   | x \$ 200.00              |   |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$ 360.00              |   |  |
| TOTAL OF ABOVE CALCULATIONS =  |              |   | \$                       | 1,130.00                                |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |   | +                        |   |  |
| SUBTOTAL =   |              |   | \$                       | 1,130.00                                |  |
| Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |   | \$                       |   |  |
| TOTAL NATIONAL FEE =   |              |   | \$                       | 1,130.00                                |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property   |              |   | \$                       |   |  |
| TOTAL FEES ENCLOSED =  |              |   | \$                       | 1,130.00                                |  |
|  |              |   | Amount to be refunded:   |   |  |
|  |              |   | charged:                 |   |  |
| <p>a. <input type="checkbox"/> A check in the amount of \$1,130.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0872</u> in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0872</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> |              |   |                          |   |  |
| <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>  |              |   |                          |   |  |
| SEND ALL CORRESPONDENCE TO:  |              |   |                          |   |  |
| Customer No. 30542   |              |   | SIGNATURE                |   |  |
| Foley & Lardner LLP  |              |   | <u>Stephen E. Reiter</u> |   |  |
| P.O. Box 80278   |              |   | NAME                     |   |  |
| San Diego, California 92138-0278   |              |   | <u>31,192</u>            |   |  |
|  |              |   | REGISTRATION NUMBER      |   |  |

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**DOCUMENT: TRANSMITTAL LETTER TO THE UNITED  
STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 317, A  
PRELIMINARY AMENDMENT AND APPLICATION  
DATA SHEET**

**DOCKET NO.: SALK 3130-1J**

**SERIAL NO.: PCT/US2003/036123**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"EXPRESS MAIL" MAILING LABEL NUMBER EL 990318752US

DATE OF DEPOSIT May 13, 2005

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Ruth Sabula

(Typed or Printed Name of Person Mailing Papers)

  
Signature